IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.8259 of 2007

Dulichand Mulchand Pardesh ..Petitioner

vs.

State of Maharashtra ...Respondent

Shri M.I.Pathan for petitioner.
Shri R.M.Patne, A.G.P. for respondent.

CORAM: S.C.DHARMADHIARI J.
11th December, 2007

P.C.

1. After the matter was argued for some time, the parties agree that the matter can be disposed of by following order.

2. Upon the petitioner filing an undertaking in this Court within a period of fifteen days from today, time to vacate is granted till 30th June, 2008. Undertaking should incorporate the following:

i) That the petitioner is in possession of the premises which are subject matter of the eviction proceedings. That the petitioner and his family members but none else are in use, occupation and possession thereof.

ii) That the petitioner will not alienate, encumber, part with possession, create any third party rights or induct anybody else in any manner whatsoever in the subject premises.

iii) The petitioner would, without seeking further extension of time, vacate the premises on or before 30th June, 2008.

iv) That the petitioner will pay the compensation of Rs.2240/- p.m. payable by the petitioner till such time he occupies the premises till 30th June, 2008,.

3. Upon failure to furnish the undertaking in the above terms the petitioner shall be liable to be evicted and if necessary with the police assistance.

4. Similarly if the petitioner refuses to vacate after six months the respondent would be at liberty to evict him in accordance with law and also by seeking police assistance. In the

event of default in payment of the monthly sums, till 30th June, 2008, would also entail the petitioner being evicted from the subject premises. The petition is disposed off in the above terms. No order as to costs.

(S.C.DHARMADHIKARI J.)